

**ORIGINAL**

**FILED**

August 9 2010

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 10-0156

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STATE OF MONTANA,  
Plaintiff and Appellee

V.

KAREN DANIEL-KNOLL,  
Defendant and Appellant

**FILED**

AUG 09 2010

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

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**REPLY BRIEF TO ATTORNEY GENERAL'S MOTION FOR  
DISMISSAL OF APPEAL**

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On Appeal from Montana First Judicial District Court,  
Lewis & Clark County, the Honorable Kathy Seeley, Presiding

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Appearance:

**KAREN DANIEL-KNOLL**  
Pro Se Litigant  
1001 South 27<sup>th</sup> Street  
Billings, MT 59101

**STEVE BULLOCK**  
Montana Attorney General  
215 North Sanders  
Helena, MT 59620-1401

**LEWIS & CLARK  
COUNTY ATTORNEY**  
228 Broadway  
Helena, MT 59601

The Defendant filed her NOTICE OF APPEAL in a timely manner. The Defendant placed her NOTICE OF APPEAL in the facility mail at the La Vista Correctional Facility, located in Pueblo, Colorado, before the time expired. As the Defendant was in custody, the Defendant thinks the prison- delivery rule applies. A record of the exact date the Defendant mailed her NOTICE should be available from the prison. The Defendant continues to be in custody at this time.

Furthermore, the merits of the case are not questioned in the MOTION TO DISMISS, only technical errors are mentioned.

Therefore the Defendant asks that the MOTION TO DISMISS be denied.

Respectfully submitted this <sup>6<sup>th</sup></sup>~~27<sup>th</sup>~~ day of <sup>August</sup>~~July~~, 2010.



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Karen Daniel-Knoll  
1001 South 27<sup>th</sup> Street  
Billings, MT 59101

## **CERTIFICATE OF MAILING**

I hereby certify that I caused a true and correct copy of the foregoing  
**REPLY BRIEF TO THE ATTORNEY GENERAL'S MOTION TO  
DISMISS** to be mailed to:

Steve Bullock  
Montana Attorney General  
215 North Sanders  
P.O. Box 201401  
Helena, MT 59620-1401

Lewis & Clark County Attorney  
228 Broadway  
Helena, MT 59601